

ENTERED

May 28, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EDUARDO GUADALUPE VIZCAYNO,	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. 4:24-CV-04664
	§	
RCI MANAGEMENT INC,	§	
Defendant.	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On January 7, 2025, all pretrial matters in this case were referred to United States Magistrate Judge Richard W. Bennett under 28 U.S.C. § 636(b)(1). (Dkt. 10). Judge Bennett filed a *Memorandum and Recommendation* on May 12, 2025, recommending that this lawsuit be dismissed without prejudice because Plaintiff failed to submit proof of validity of service. (Dkt. 33).

No objections have been filed to the *Memorandum and Recommendation*. Accordingly, the Court reviews the *Memorandum and Recommendation* for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

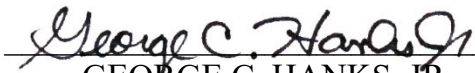
Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Bennett's *Memorandum and Recommendation* (Dkt. 33) is **APPROVED and ADOPTED** in its entirety as the holding of the Court;
- (2) This case is **DISMISSED WITHOUT PREJUDICE**; and

(3) All other pending motions are **DENIED as MOOT.**

It is so **ORDERED.**

SIGNED at Houston, Texas on May 28, 2025.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE